

## DETAILED ACTION

### *Petition Under 37 C.F.R. § 1.81(a)*

1. Applicant's petition filed August 4, 2006 under 37 C.F.R. §1.81(a) requesting withdraw of the holding of abandonment mailed June 26, 2006 is acknowledged ("2006 Petition"). The facts in this petition are noted as follows:

- a. A final rejection was mailed by the USPTO on August 11, 2005.
- b. In response to the final rejection, an after final amendment was submitted by Applicant on November 14, 2005.
- c. In response to the November 14, 2005 amendment, the USPTO issue an Advisory Action (mailed January 23, 2006).
- d. On January 18, 2006, Primary Examiner James Reagan had a telephonic interview with Mr. Steven Noll. See Interview Summary (Paper No. 20060118). Examiner Reagan agreed that the finality was improper. Examiner Reagan stated that a "new Office action would be issued." The Interview Summary corresponding to the telephonic interview (Paper No. 20060118) was mailed by the USPTO on January 23, 2006.

2. In light of the facts above and because Examiner Reagan agreed that the Final Office Action of August 11, 2005 was improper and because Examiner Reagan agreed to rescind the Final Office Action in the Interview Summary mailed January 23, 2006, Applicant's 2006 Petition has been treated as a 'Request for Reconsideration.' In light of the facts above, the Request for Reconsideration is hereby **Granted**.

3. Because the Request for Reconsideration has been granted, the 2006 Petition is hereby **Dismissed**.

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4. In light of the facts above and because the Final Rejection mailed August 11, 2005 was improper, this application can not be abandoned for failure to response to the Final Rejection. In light of this, the Notice of Abandonment mailed June 29, 2006 is erroneous and is hereby **withdrawn**.

#### EXAMINER'S AMENDMENT

5. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. §1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

6. Authorization for this examiner's amendment was given in a telephone interview with Steve Knoll on September 1, 2007.

7. Claim 15,

A system for franking postal matter with a franking apparatus and for inspecting the franking comprising: a franking apparatus ~~for franking that~~ franks postal matter, having a printing unit ~~for applying~~ a machine-readable date stamp onto items of postal matter, a central unit containing a fee module ~~for loading~~, storing and debiting postage fees to be included in said date stamp, and having a print control module ~~for controlling that~~ controls said printing unit; a postage fee apparatus engageable in a communication protocol with said franking apparatus ~~for making that~~ makes postage fee units electronically available to said franking apparatus as electronic coins each having unique coin identification information embodied therein, said

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electronic coins being entered in said communication protocol into said fee module of said central unit and said unique coin identification information being incorporated in said date stamp on one of said items together with the electronic coin associated with the unique coin identification information by said printing unit, to individualize the date stamp compared to other date stamps; and an inspection unit remote from said franking apparatus ~~for inspecting that~~ inspects said items, including a memory ~~for storing that stores~~ respective date stamps on successively inspected items of postal matter, by comparing the unique coin identification information in the date stamp on a currently inspected item of postal matter with said stored date stamps to determine whether the date stamp on the currently inspected item of postal matter has been previously used to determine, from said unique coin identification information, whether said date stamp has been multiply used.

***Allowable Subject Matter***

8. Claims 15-18 and 22, 24-34 are allowed over the prior art record.
9. The following is an examiner's statement of reasons for allowance:
10. The closest prior art of record Peyret (US Patent 5,688,056) teaches a method for controlling printer order to obtain postages.
11. As per claim 15 none of the art of record, taken individually or combination disclose at least the steps/components of: and an inspection unit remote from said franking apparatus that inspects said items, including a memory that stores respective date stamps on successively inspected items of postal matter, by comparing the unique coin identification information in the

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date stamp on a currently inspected item of postal matter with said stored date stamps to determine whether the date stamp on the currently inspected item of postal matter has been previously used to determine, from said unique coin identification information, whether said date stamp has been multiply used.

12. As per claim 22 none of the art of record, taken individually or combination disclose at least the steps/components of: inspecting the mail piece at a location remote from said device; inspecting subsequent mail pieces by comparing the electronic coin in the date stamp thereon to the stored electronic coin to determine whether the electronic coin in the date stamp on the mail piece has been multiply used.

13. Even if the features missing from the above cited prior art were found in a reasonable number of references a person of ordinary skill in the art at the time of the invention would not have been motivated to combine these reference because the claimed features “an inspection unit remote from said franking apparatus that inspects said items,” are not a feature normally associated with postage systems systems and therefore would have to be disclosed by art unrelated to postage systems.

14. Claims 15 and 22 are allowable for the above cited reasons. Claims 16-18 and 24-34 are dependant upon claims 15 and 22 respectively and are therefore allowable for at least the same reasons.

***Conclusion***

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN M. WINTER whose telephone number is (571)272-6713. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on (571) 272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Winter/  
Examiner, Art Unit 3621

/ANDREW J. FISCHER/  
Supervisory Patent Examiner, Art Unit 3621